



DEPARTMENT OF HEALTH  
Manila, Philippines  
1976



THE CODE ON  
**SANITATION**  
OF THE PHILIPPINES

PRESIDENTIAL DECREE NO. 856



Reprinted with the  
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# **THE CODE ON SANITATION OF THE PHILIPPINES**

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Published by

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by Clemente S. Gatmaitan  
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**Republika ng Pilipinas**  
**KAGAWARAN NG KALUSUGAN**  
**TANGGAPAN NG KALIHIM**  
**Maynila**

## **FOREWORD**

The promulgation of the Code on Sanitation on December 23, 1975 by His Excellency, President Ferdinand E. Marcos, is a significant landmark in the history of our country's health and sanitation efforts.

This Code on Sanitation has for its ultimate objective the improvement of the way of the Filipinos by directing public health services towards the protection and promotion of the health of our people.

Public health laws and regulations on sanitation in the Philippines used to be scattered in numerous volumes of our statute books. To look for them when needed has often been a cumbersome and tedious task. Clearly, there was a compelling need to compile all existing public health laws and to update them to make them truly responsive to the present day needs of the nation.

Historically, there have been three major efforts to codify our health laws and regulations. I remember distinctly that the initial one started more than 20 years ago when the late Dr. Mariano Icasiano, then City Health Officer of Manila, the late Dr. Amadeo Cruz, then Director of Health Services and I worked as a committee on codification. From our efforts came out a first draft of the

code. Unfortunately, our proposed code did not gain official sanction due to conflicts of political interest which afflicted most of our agencies in the Old Society.

The two other subsequent efforts to produce a code did not fare any better. While assistance and support were received from various government and private entities and individuals, they were never enacted by Congress; red tape, social indifference and other similar evils were to blame.

With the advent of the New Society and its atmosphere that was conducive to reform, work on the fourth draft of the code was expedited. Further impetus was afforded by the dynamism which pervaded the public health service and by the Administration's social concern. President Marcos gave it the force of law when he signed it as Presidential Decree No. 856.

In the various stages of development of the code, there are reflected significant contributions from various departments, bureaus and offices of the national government and many civic and professional societies. Notable among them are the Regional, Provincial and City Health Offices; the National Environmental Protection Commission; the Metropolitan Water

and Sewage System; the Population Commission; the following departments of the executive branch of the government: Labor; Natural Resources, Agriculture, Education, and Finance; the Philippine Public Health Association; the League of Public Health Engineers; the Philippine Society of Sanitary Engineers and many others.

Acknowledgment is publicly made of their invaluable support and interest.

The new Code on Sanitation ushers in a new era for public health in the Philippines. It marks the consolidation of what used to be disparate laws and

regulations into a single compact volume. With it, the problems of confusion and misinformation - or worse still, the lack of it - were swept away. That it is a modern and updated code is shown by its coverage of all present day business enterprises and establishments. Being so, it should be kept a living, vibrant document - relevant and responsive to the needs of our communities and of the nation, at large.

It is hoped that compliance by those concerned and enforcement by our health officers will become so much easier with the publication of this bible on sanitation of the New Society.



(Sgd.) CLEMENTE S. GATMAITAN, M.D., M.P.H  
Secretary of Health

July 1, 1976

# THE CODE ON SANITATION

Malacañang Manila

## PRESIDENTIAL DECREE NO. 856 CODE ON SANITATION

WHEREAS, the health of the people, being of paramount importance, all efforts of public services should be directed towards the protection and promotion of health; and

WHEREAS, with the advance in the field of sanitation in recent years, there arises the need for updating and codifying our scattered sanitary laws to ensure that they are in keeping with modern standards of sanitation and provide a handy reference and guide for their enforcement;

NOW, THEREFORE, I, FERDINAND E. MARCOS President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following Code on Sanitation:

### CHAPTER I – GENERAL PROVISIONS

**SECTION 1. Title** – The title of this Code is "Code on Sanitation of the Philippines".

**SEC. 2. Definition of Terms** – Whenever any of the following words or terms is used herein or in any rule or regulation issued under this Code, it shall have the meaning given it in this section, as follows:

a. Code – Code on Sanitation of the Philippines.

- b. Department – The Department of Health.
- c. Secretary – The Secretary of Health.
- d. Regional Director – an official who heads a Regional Health Office.
- e. Local Health Authority – an official or employee responsible for the application of a prescribed health measure in a local political subdivision.
- f. Health Officer – Provincial, City or Municipal Health Officer.
- g. Engineer – A Sanitary Engineer.
- h. Section – any section of this code unless the term refers to other statutes which are specifically mentioned.

**SEC. 3. Functions of the Department of Health** – The Department shall have the following powers and functions :

- a. Undertake the promotion and preservation of the health of the people and raise the health standards of individuals and communities throughout the Philippines;
- b. Extend maximum health services to the people in rural areas and provide medical care to those who cannot afford it by reason of poverty;
- c. Develop, administer and coordinate various health activities and services which shall include public health, preventive, curative and rehabilitative programs, medical care, health and medical education services;
- d. Upgrade the standards of medical practice, the quality of health services and programs to assure the people of better health services;

- c. Assist local health agencies in developing public health programs including medical care, and promote medical and public research;
- f. Issue permits to establish and operate government and private hospitals, clinics, dispensaries, schools of nursing, mid-wifery, and other para-medical courses, puericulture centers, clinical laboratories and blood banks;
- g. Prescribe standard rates of fees for health, medical, laboratory, and other public services; and
- h. Perform such other functions as may be provided by law.

**SEC. 4. Authority of the Secretary –**

In addition to the power and authority of the Secretary which are provided by law, he is likewise empowered to promulgate rules and regulations for the proper implementation and enforcement of the provisions of this Code.

**SEC. 5. Authority of the Bureau Directors –**

The Bureau Directors shall be responsible for staff activities involving the development of plans, programs, operating standards and management techniques in their respective field of assignment.

**SEC. 6. Authority of the Regional Directors –**

The Regional Directors shall administer health functions in their regions, implement policies, standards and programs involving health services; and enforce the provisions of this Code and the rules and regulations promulgated by the Secretary under this Code.

**SEC. 7. Authority of the Health Officers –**

The Health officers shall administer health functions in areas under

their jurisdiction and enforce the provisions of this Code and the rules and regulations promulgated by the Secretary under this Code.

**SEC. 8. Miscellaneous Provisions –**

- a. International treaties, agreements and conventions - The Republic of the Philippines recognizes international treaties agreements and conventions on public health. Their provisions may be considered parts of this Code provided they do not contravene the Constitution, existing laws or any provisions of this Code.
- b. Rights and proceedings - Any proceeding which has commenced or any right which has accrued upon the effectivity of this Code shall not be affected by any of its provisions. However, matters of procedure and rights arising after the date of effectivity of this Code shall conform to the provisions hereof.
- c. Delegation of power and assignment of duty- Whenever a power is granted or a duty is assigned to any public health officer in this Code, the power may be exercised by a deputy or agent of the official pursuant to law, unless it is expressly provided otherwise in this Code.
- d. Language required- Any notice, report, statement or record required or authorized by this Code, shall be written in English or Filipino.
- e. Mailing of notices- Unless otherwise expressly provided, any notice required to be sent to any person by any provision of this Code, shall be sent through the postal service. The affidavit of the official or employee who mailed the notice is prima facie evidence that the notice was sent as prescribed herein.

f. Condemnation and seizure of property- When any property is officially condemned or seized by government authorities in the interest of public health, the owner thereof shall not be entitled to compensation.

g. Command responsibility- When a duty is expressly vested in a health officer as provided in this Code, it shall be understood that it shall likewise be the concern of the superiors of the health office under the principle of command responsibility.

prior to the construction of housing units thereat; and

- e. Certification of potability of drinking water.

**SEC. 11. Types of Water Examinations Required –** The following examinations are required for drinking water:

- a. Initial examination-The physical, chemical and bacteriological examinations of water from newly constructed systems or sources are required before they are operated and opened for public use. Examination of water for possible radioactive contamination should also be done initially.
- b. Periodic examination- Water from existing sources is subject to bacteriological examination as often as possible but the interval shall not be longer than six months, while general systematic chemical examination shall be conducted every 12 months or oftener. Examination of water sources shall be conducted yearly for possible radioactive contamination.

**CHAPTER II — WATER SUPPLY**

**SEC. 9. Prescribed Standards and Procedures –** Standards for drinking water

and their bacteriological and chemical examinations, together with the evaluation of results, shall conform to the criteria set by the National Drinking Water Standards. The treatment of water to render it safe for drinking, and the disinfection of contaminated water sources together with their distribution systems shall be in accordance with procedures prescribed by the Department.

**SEC. 10. Jurisdiction of the Department –** The approval of the Secretary or that of his duly authorized representative is required in the following cases:

- a. Sites of water sources before their construction;
- b. Delivery of water to consumers from new or recently repaired water systems;
- c. Operation of a water system after an order of closure was issued by the Department;
- d. Plans and specifications of water systems of subdivisions and projects

**SEC. 12. Examining Laboratories and Submission of Water Samples –** The examination of drinking water shall be performed only in private or government laboratories duly accredited by the Department. It is the responsibility of operators of water systems to submit to accredited laboratories water samples for examination in a manner and at such intervals prescribed by the Department.

**SEC. 13. Other Protective Measures –** To protect drinking water from contamination, the following measures shall be observed:

- a. Washing clothes or bathing within a radius of 25 meters from any well or other source of drinking water is prohibited.
- b. No artesians, deep or shallow well shall be constructed within 25 meters from any source of pollution.
- c. No radioactive sources or materials shall be stored within a radius of 25 meters from any well or source of drinking water unless the radioactive source is adequately safely enclosed by proper shielding.
- d. No person charged with the management of a public water supply system shall permit any physical connection between its distribution system and that of any other water supply, unless the latter is regularly examined as to its quality by those in charge of the public supply to which the connection is made and found to be safe and potable.
- e. The installation of a booster pump to boost water direct from the water distribution line of a water supply system, where low-water pressure prevails is prohibited.

### CHAPTER III — FOOD ESTABLISHMENTS

#### SEC. 14. Sanitary Permit –

- a. No person or entity shall operate a food establishment for public patronage without securing a permit from the local health office. The term "food establishment" as used in this chapter means an establishment where food or drinks are manufactured, processed, stored, sold or served.
- b. Every Sanitary Permit shall be posted in a conspicuous place of the establishment.

c. Fees — The fees payable on applications for permits and upon the issuances, renewal and noting of such certificates shall be in such amounts as the City or Municipal Authority by resolution impose.

d. Noting of Permit — Within 14 days after any change in the ownership or occupancy of any establishment, the new occupant shall apply to the City or Municipal Health Officer to have such change noted in the records and on the permit certificate which he shall produce for the purpose and shall pay the corresponding fee in respect of such noting.

#### e. Record of Permit Certificates

- i. Every City or Municipality shall keep a record of all establishments in respect of which permits have been issued and of all permit certificates and renewals thereof.

f. The record shall in every case show the following:

- i. The name and address of the holder of the permit who in every case shall be the actual occupier of the establishment;
- ii. The location of the establishment;
- iii. The purpose or purposes for which the permit has been issued;
- iv. The date the first permit was issued and the dates of any renewal thereof;
- v. Every change of occupation and management of the establishment since the first permit was issued; and
- vi. Conditions under which the permit was issued or any renewal thereof granted.
- vii. The record shall be available at all reasonable times for inspection by any officer of the Department of Health.

**SEC. 15. Health Certificates** – No person shall be employed in any food establishment without a health Certificate issued by the local health authority. This certificate shall be issued only after the required physical and medical examinations are performed and immunizations are administered at prescribed intervals.

**SEC. 16. Quality and Protection of Food** – All foods must be obtained from sources approved by the local health authority. In this regard, the following requirements are applicable:

- a. Meats, meat products and fish shall be procured from sources under sanitary or veterinary supervision.
- b. All meats and fish shall be properly cooked before serving.
- c. No meat products, fish, vegetables and other food sources shall be procured from sources or areas known to have been affected by radioactivity as for example, areas contaminated with a very large amount of radioactive fallout.
- d. Milk and fluid products shall be obtained from sources approved by the local health authority. Milk obtained from other sources must be sterilized, pasteurized or otherwise heated.
- e. Milk shall be stored in a refrigerator. Canned or packaged milk, other than dry milk powders, shall be refrigerated after the container has been opened.
- f. All perishable and potentially hazardous foods shall be stored at 45°F (7°C) or below.
- g. Cooked food intended to be served hot shall be kept at a temperature not lower than 140°F (60°C).
- h. Raw fruits and vegetables shall be thoroughly washed before they are used.

**SEC. 17. Structural Requirements** – Food establishments shall be constructed in accordance with the following requirements:

- 1. No person shall use any room or place for or in connection with the preparation, storage, handling or sale of any article of food –
  - a. Which is at anytime used or in direct communication with a sleeping apartment or toilet;
  - b. In which any animal is kept; or
  - c. Which is or has been used for any purpose which would be likely to contaminate the food or to affect injuriously its wholesomeness or cleanliness; or
  - d. Which is not used exclusively for the purpose; Provided, That in department stores or multipurpose business establishments, food may be manufactured, prepared, cooked, stored, or sold only in the area set aside exclusively for said purpose and for which a sanitary permit has been issued.
- 2. No sanitary permit shall be issued for any premises to be used for the preparation, handling and sale of food unless it is constructed in accordance with the following requirements :
  - a. **FLOORS** – The floors shall be:
    - i. Constructed of concrete or other impervious and easily cleaned material that is resistant to wear and corrosion and shall be adequately graded and drained; all angles between the floors and walls shall be rounded off to a height of not less than 3 inches (7.62 cm.) from the floor; or
    - ii. Constructed of wood with dovetailed or tongue and

- c. **CEILINGS**
- i. All ceilings or, if no ceiling is provided, the entire under-surface of the roof shall be dust-proof and washable.
  - ii. The ceiling of under-surface of the roof of rooms in which food is prepared or packed or in which utensils or hands are washed shall be smooth, non-absorbent and light colored.
- d. **LIGHTING**
- i. The general standards of illumination provided shall permit effective inspection and cleaning and shall be of sufficient intensity appropriate to the purpose for which any room or place is used;
  - ii. In rooms where food is prepared or packed or in which utensils or hands are washed there shall be a minimum illumination intensity of 20-foot candles; in premises where food is consumed, there shall be a minimum illumination intensity of 5-foot candles. Intensities of illumination shall be measured at a point 30 inches (76.20 cm.) above the floor;
  - iii. All lightings shall be reasonably free from glare and distributed so as to avoid shadows;
  - iv. At other areas or working surfaces, the illumination shall be of such intensity as may be required by the health authority.
- e. **VENTILATION**
- i. Ventilation shall be provided which shall be effective and suitable to maintain comfortable condition;
  - ii. The ventilation shall be adequate to prevent the air from becoming excessively heated, prevent condensation and the formation of excess moisture on walls, ceilings and for the removal of objectionable odours, fumes, and impurities;
  - iii. In the absence of effective natural ventilation, mechanical ventilation with airflow from a clean area, and discharging in such a manner as not to create a nuisance, shall be provided;
  - iv. Canopies, air ducts, fans or other appliances shall be provided as required by the health authority in particular circumstances;
  - v. Effective provision shall be made for securing and maintaining a reasonable temperature.
- f. **OVERCROWDING** – There shall be sufficient floor space to enable every person working thereon to carry out his duties efficiently and to permit easy access for cleaning. Working spaces, aisles or passageways and areas to which customers have access shall be unobstructed and sufficient to permit movement of employees and customers without contamination of food by clothing or personal contact.
- g. **CHANGEROOMS**
- i. There shall be provided adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belongings of employees or persons engaged or employed in the premises. Such facilities shall be so situated and arranged so that there is no contamination of food by contact with clothing, and where the number of persons engaged or employed is four or more of either sex, there shall be provided separate changing rooms for each sex.
- h. **WASH-HAND BASINS**
- i. Wash-hand basins shall be installed in convenient places and as near as practicable to where the person for whose use they are provided are working while handling food for sale or in such locations as may be otherwise prescribed in any particular case.
  - ii. If required in writing by the local health authority an additional wash-hand basin shall be installed as near as practicable to the toilet facilities; Provided, that wash-hand basins specified in this Code need not be installed in premises where only food in sealed containers is sold; and Provided, Further, that wash-hand basins specified in this regulation shall be installed under specifications of the National Plumbing Code of the Philippines.

i. ***WASH-HAND BASIN MAINTENANCE***

- i. An adequate supply of soap, clean towels, roller towels presenting a clean surface to each user from a continuous roller towel dispenser or other hand drying services approved by health authorities.
- ii. The wash-hand basin and all hand washing facilities shall, at all times, be maintained in good repair and a clean condition.
- iii. All wash-hand basins shall, at all times, while the premises are being used, be supplied with hot and cold or tempered running water at a minimum temperature of 100°F (37.8°C).

**SEC. 13. Use of Food-Service Spaces –**

- a. Food-service spaces shall not be used as living or sleeping quarters.
- b. Clothing or personal effects shall be kept in lockers or in designated places away from food service spaces.
- c. No animal or live fowls shall be allowed in such spaces.
- d. Persons not directly connected with food preparation and serving shall not be allowed to stay in food-serving spaces.
- e. Foods in storage or in preparation must not be handled by anyone other than the preparation and serving staff.

**SEC. 19. Food Handlers –**

- a. No person shall be employed in any food establishment without a health certificate issued by the local health authority.

b. Food handlers shall at all times :

- i. Wear clean working garments. The cook shall wear prescribed caps and female employees caps or hairnets.
- ii. Observe good personal hygiene.
- iii. Wash their hands thoroughly with soap and water and dry them with a clean or disposable towel or a suitable hand-drying device immediately before working, or after visiting the toilet.

**SEC. 20. Vermin Control –**

**Vermi**n – A group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice, and rats which are vectors of diseases.

- a. Spaces where food and drinks are stored, prepared and served shall be so constructed and maintained as to exclude vermin.
- b. All openings which connects spaces to the outer air shall be effectively protected with screen of non-corrosive wire 16-mesh or finer. Door screens shall be tight-fitting.
- c. A vermin abatement program shall be maintained in the establishments by their owner's, operators, or administrators. If they fail, neglect or refuse to maintain a vermin abatement program, the local health agency will undertake the work at their expense.
- d. During deratting or disinfecting operations, all foodstuffs, utensils, food preparation and cleaning equipment shall be covered to protect them from toxic chemical substances.
- e. Vermin control in public places shall be the responsibility of the provincial, city or municipal governments which have jurisdiction over them.

- f. The procedure and frequency of vermin abatement program shall be determined and approved by the local health authority.

**SEC. 21. Toilet and Washing Facilities –**

- a. Adequate and clean toilet facilities for male and female customers and personnel shall be provided in properly located areas.
- b. Toilet rooms shall not be open directly into spaces where food is prepared, stored or served. Where such toilets exist, the doors shall be tight-fitting and self-closing.
- c. Adequate hand-washing facilities shall be provided within or adjacent to toilet room.
- d. Facilities shall include hot and cold running water, single-service paper or cloth towel dispenser or drying device and soap or detergent.

**SEC. 22. Disposal of Refuse –**

- a. Refuse cans may be used in food-preparation areas for immediate use only.
- b. Storage refuse cans, filled and empty, shall be in a designated space separate from food-handling operations.
- c. These cans shall be so constructed and maintained as to be vermin-proof and easily cleaned.
- d. Cans containing refuse shall be tightly covered at all times, except during actual use in food-handling areas.
- e. Holding bins may likewise be used, provided they are constructed of impervious, readily-cleaned materials, and fitted with tight-fitting covers.
- f. Where refuse cans are used, a space separate from the food-handling spaces

and adjacent to the refuse-can storage space shall be provided for cleaning them. This space shall be equipped with scrubbing-brushes cleansing agents, steam or hot water under pressure, and a hose fitted with adjustable nozzle.

**SEC. 23. Equipment and Utensils –**

- a. They shall be so designed, fabricated and installed so that cleaning is easy and they do not pose health hazards.
- b. Lead-soldered containers and cadmium-lined piping and fixtures shall not be used.
- c. Surfaces that come into contact with food or drinks shall be constructed of materials that are impervious, corrosion-resistant, non-toxic-easily cleanable, durable and resistant to chipping.
- d. Sliding doors on cabinets shall be easily cleanable and removable. Runners shall be allotted at the ends to permit removal of dust and debris. The bottom shelves of open-based fixtures shall be removable to facilitate inspection, cleansing and maintenance.

**SEC. 24. Washing of Utensils –**

- a. They shall be scraped and pre-rinsed to remove food particles.
- b. They shall be thoroughly cleansed in warm water at 120°F (49°C) with soap or detergent.
- c. If running water is not used, the wash-water shall be changed frequently.

**SEC. 25. Bactericidal Treatment –**  
Eating and drinking utensils and equipment, after thoroughly cleaned, shall be subjected to one of the following bactericidal treatments:

- a. Immersion for at least half a minute in clean hot water at a temperature of at least 170°F (77°C);

- b. Immersion for at least one minute in a lukewarm chlorine solution 50 ppm;
- c. Exposure in a steam cabinet at a temperature of at least 170°F (77°C) for at least 15 minutes or at a temperature of 200°F (93°C) for at least 5 minutes;
- d. Exposure in an open or hot air cabinet at a temperature of at least 180°F, (82°C) for at least 20 minutes; or
- e. Any other method approved by the local health authority.

**SEC. 26. Handling of Washed Utensils –**

- a. Washed utensils shall be allowed to drain dry in wire racks without use of drying cloths, or shall be stored in a self-draining position to permit ready air-drying.
- b. The drying cloth on which to store dishes and utensils temporarily after bactericidal treatment should be clean and changed frequently.

**SEC. 27. Storage of Washed Utensils –**

- a. They shall be stored in a clean and dry place adequately protected against vermin and other sources of contamination
- b. Cups, bowls, and glasses, shall be inverted for storage.
- c. When not stored in closed cupboards or lockers, utensils and containers shall be covered or inverted whenever practicable. Utensils shall not be stored on the bottom shelves of open cabinets below the working top levels.
- d. Racks, trays and shelves shall be made of materials that are impervious, corrosion-resistant, non-toxic, smooth, durable and resistant to chipping.

- e. Drawers shall be made of the same materials and kept clean. Felt-lined drawers are not acceptable, but the use of clean and removable towels for lining drawers is acceptable.

**SEC. 28. Dry Storage of Non-Perishable Foods –** Non-perishable foods shall be stored in the following manner:

- a. Designated spaces, lockers, cupboards, racks, shelves and containers shall be used for storage.
- b. All spaces, lockers and cupboards shall be constructed of materials of the same quality as used for food-preparation and food-serving operations. Containers shall be made of metal fitted with tight covers.
- c. The recommended temperature range for dry stores is 50-60°F (10-15°C) except where dry foods for immediate use are stored in the preparation and servicing spaces.

**SEC. 29. Refrigerated storage of Perishable Foods –** Perishable foods shall be stored in the following manner:

- a. They shall be kept at or below 45°F (7°C) except during preparation or when held for immediate serving after preparation.
- b. When such foods are to be stored for extended periods, a temperature of 40°F (4°C) is recommended.
- c. Fruits and vegetables shall be stored in cool rooms.
- d. Recommended temperatures for perishable food storage are:
  - 1) Frozen foods: not more than 10°F (-12°C)
  - 2) Meat and fish: 32-38°F (0-3°C)
  - 3) Milk and milk products: 40-45°F (5-7°C)

- 4) Fruits and vegetables: 44-50°F (7-10°C)

- e. All refrigerating compartments and refrigerators must be kept clean, in good repair and free from odours. They shall be provided with thermometers with scale divisions not larger than 2°F or 1°C. Sufficient shelving shall be provided to prevent stocking and to permit adequate ventilation and cleaning.

**SEC. 30. Food Servicing Operations**

– These operations should be in accordance with the following requirements:

- a. Hand contacts with food or drink shall be avoided; fingers shall not be used to serve butter, ice, or similar items of food. Sugar shall be served in covered dispensers or containers, or in packages wrapped for single service.
- b. The surfaces of containers and utensils, including glasses and tablewares, which come in contact with food or drink shall not be handled.
- c. Disposable cups, plates, spoons and other single-service containers and utensils shall be purchased in sanitary cartons and stored in a clean, dry place until used. These articles shall be so handled on removal from the carton that the hand does not touch the surface which will be in contact with food or drink.
- d. Clean clothes, napkins, spoons, towels, and other cloth equipment shall be stored in clean places designated specifically for them. Soiled linens, including towels, aprons, and coats, shall be stored in a closed bin or locker, suitably marked.
- e. Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts shall be kept in running

water or in water maintained at 170°F (77°C) and frequently changed, or they may be washed and stored in a dry place after each use. Constant temperature bottles and other containers used for potable water and other beverages shall be kept clean and given effective bactericidal treatment before and after subsequent use.

**SEC. 31. Evaluation of Food Establishment –**

It shall be the duty of the Provincial, Municipal or City Health Officer to cause an inspection and evaluation of every food establishment requiring a permit for its operations, at least every six months and shall cause as many additional inspections and re-inspections and evaluation to be made as are necessary for the enforcement of the provision of this Chapter.

During the inspection or evaluation carried out at least every six months, the inspector shall record his findings on an inspection form provided for the purpose and shall furnish the original of such report to the holder of sanitary permit, the manager or occupier of the premises. Demerits entered in the appropriate column inspection forms shall indicate that the item does not, in the opinion of the inspector, comply with the requirements of this regulation. Within 48 hours of the inspection or evaluation, the original of the inspection report shall be furnished the holder of the permit certificate, the manager or occupier of the food establishment. Whenever an inspection form issued indicates non-compliance items relating to any particular type of premises, the inspector shall notify the holder of the sanitary permit, the manager or occupier of the correction to be made and indicate a reasonable period for its compliance. If upon re-inspection after the deadline the inspector finds the correction has not been effected

he shall forthwith report to the Health Officer and the Health Officer shall revoke the sanitary permit. A copy of the inspection form and any notice served shall, in all cases be filed and kept by the local health authority and be available at all reasonable time for inspection by an officer of the Department of Health.

- a. **SERVICE OF NOTICE** — Whenever an inspection or evaluation report form indicates non-complying items, the Health Officer of the Province, Municipality or City may cause to be served on the holder of the permit, the manager or occupier a notice requiring him, within the time stated in the notice, to take such remedial action as may be specified therein. In the event within the time stated in the notice, hereinafter called the first notice the terms of the first notice are not complied with, the Health Officer may cause to be served on the holder of the permit, the manager or occupier a second notice calling on him to show cause, at a time and place stated in the notice, why the permit issued in respect of the food establishment should not be revoked.
- b. **REVOCATION OF PERMITS** — After prior notice and hearing as provided above, the Health Officer, if satisfied that the terms of the two notices have not been complied with or that failure to comply therewith is not excusable, shall revoke the said permit.
- c. **SUMMARY SUSPENSION OF PERMITS** — Whenever the Provincial, Municipal or City Health Officer finds unsanitary or unhealthy conditions in the operation of a food establishment which in his judgment constitute a substantial hazard to the public health, the Health Officer may order the immediate suspension of the permit. Any person to whom such an

- order is issued written petition shall be afforded a hearing as soon as possible.
- d. **APPEALS** — The person or panel conducting the hearing may confirm, modify or reverse the decision appealed from which decision shall be final.
- e. **PROTECTION OF FOOD** — Notwithstanding the other provisions of this regulation relating to the issuance of permits, every person who is engaged in the sale of food or in the manufacture, preparation, storage, packing or delivery of food for sale shall protect such food from contamination.
- f. **POWER OF ENTRY** — Any Sanitary Inspector or duly authorized officer of the Department of Health or of the Provincial, Municipal or City Health Officer, upon presentation of proper credentials may at all reasonable times enter into any premises engaged in the manufacture, preparation or packing of any article of food for sale or any premises used for any of the purposes referred to in this Code for the purpose of inspection or any other action necessary for administration of this Code.

#### **SEC. 32. Special Provisions –**

- a. **Groceries or "Sari-Sari" Stores**
  1. No grocery or sari-sari store shall be established within a distance of 25 meters from any source of contamination.
  2. All foods which require no further cooking before they are eaten shall be protected from contamination while in counters or showcases.
- b. **Bakeries**
  1. Delivery trucks and carts of bakery products shall always be kept clean and sanitary.

#### **c. Dairies**

1. No dairy shall keep unhealthy or infected cows, carabao or goats for the production of milk, or feed them unwholesome food which produces impure or unwholesome milk.
2. No animals used for the production of milk shall be allowed to graze on land which has been contaminated by radioactivity.
3. No dairy shall sell unwholesome milk that has not been previously pasteurized or otherwise sterilized.

#### **d. Ice Plants**

1. Only potable water shall be used in the manufacture of ice.
2. In storing and transporting ice intended for public consumption, precautionary measures shall be taken to protect the ice from sources of contamination.

#### **e. Ambulant Food Vendors**

1. These vendors shall sell only bottled food drinks, biscuits and confectionaries.
2. It is prohibited for food vendors to sell food that requires the use of utensils.

#### **f. Oyster Beds**

1. Oysters shall be planted and grown only in areas approved by the Secretary or his duly authorized representatives and in places duly licensed by the Bureau of Fisheries and Aquatic Resources.
2. Oysters offered for sale, if not originating from approved areas, shall be confiscated and destroyed by the local health authority.

#### **g. Fish Marketing Areas**

1. Only fresh and wholesome fish products shall be sold.

2. Fish caught in radioactive zones as well as in areas contaminated by toxic substances or high in mercury count as determined by the health authorities shall be condemned and not be allowed for public consumption.
3. The selling, distribution and buying of fish caught through the use of explosives and chemicals are prohibited.

#### **SEC. 33. Responsibility of the Local Health Authority** — The local health authority shall:

- a. Make periodic inspections to enforce the maintenance of adequate sanitation in food establishments and their premises;
- b. Take samples of food and drink from any establishments or vendors as often as necessary to determine if there are unwholesome, adulterated, or contaminated by radioactivity;
- c. Prevent the sale or condemn and destroy food and drinks if these are found unfit for human consumption;
- d. Seal and prohibit the use of devices, utensils, containers, vehicles, machines, piping and appurtenances if in his opinion they are unsanitary; and
- e. Enforce the provisions of this Chapter and the rules and regulations promulgated by the Secretary.

### **CHAPTER IV — MARKETS AND ABATTOIRS**

#### **SEC. 34. Prescribed Standards of Construction** — The construction of markets and abattoirs shall conform to standards prescribed by the Department. These standards shall be set along the following guidelines:

1. Suitability of site insofar as elimination of nuisance conditions and prevention of contamination are concerned;
2. Availability of ample water supply for cleaning;
3. Accessibility of adequate drainage facilities;
4. Durability of construction to protect vendors and customers from any hazard and exposure to the elements; and
5. Facilities for sanitation maintenance, such as cleaning and elimination of harborages of vermin.

**SEC. 35. Responsibility of the Local Health Authority —**

a. *On Markets*

1. Make periodic inspections to ascertain the maintenance of adequate sanitary conditions of markets and their premises;
2. Supervise and control the proper care and use of market stalls;
3. Prohibit the construction of living quarters within any market and its premises;
4. Enforce the ban on construction of partitions, sheds or booths within the market area.

b. *On Abattoirs*

1. Supervise the maintenance of adequate sanitation in abattoirs and their premises;
2. Enforce the requirements on the examination of meat as provided in existing laws;
3. Permit the slaughter of animals for public consumption in other designated areas in certain exigencies, provided public health is adequately protected
4. Supervise the sanitary disposal of all abattoir wastes; and

5. Ensure that only healthy animals shall be slaughtered, and that the method of slaughtering, the techniques of dressing and the storing, handling and transporting procedures are in accordance with prescribed standards.

**SEC. 36. Responsibility of Local Governments and Private Operators —**  
 Local governments and private operators in charge of public or private markets and abattoirs shall employ an adequate number of personnel to ensure their efficient operation and hygienic maintenance. These employees shall be under the direct supervision of the local health authority.

## CHAPTER V — PUBLIC LAUNDRY

**SEC. 37. Sanitary Permit —** No public laundry shall operate without a sanitary permit from the Secretary or his duly authorized representative. As used in this Chapter, a public laundry is a laundry established and operated for commercial purposes, open to the public, and not to an exclusive clientele.

**SEC. 38. General Requirements —**  
 The construction and operation of a public laundry shall be governed by the following requirements:

- a. *Structural Requirements —*
1. The site should be distant from sources of nuisance.
  2. Only durable construction materials shall be used.
  3. Smooth and water-tight materials shall be used for flooring.
  4. All work rooms shall be properly ventilated and provided with 10-foot candles of lighting.
  5. Adequate drying

facilities shall be provided and articles for drying be protected from sources of contamination.

b. *Sanitary Requirements —*

1. Laundry supplies in both liquid and solid state shall be properly stored, prepared and handled. Containers of chemicals shall be properly labeled.
2. Employees shall be provided with potable drinking water, toilets, bathing and washing facilities.
3. Employees shall be provided with lockers for their working garments and street clothes.
4. The plant and its premises and equipment shall be maintained clean and sanitary at all times.

**SEC. 39. Special Requirements —**  
 The following requirements shall be enforced:

- a. All articles to be laundered coming from hospitals and infected sources shall be treated by exposure to a sufficient quantity of hot water, detergents or by other effective means of disinfection.
- b. All linens, bed clothes, pajamas, towels, bed-sheets, pillow cases, etc. that have come in contact with any form of radioactivity should be isolated in a certain area and monitored by Radiation Safety personnel before sending these articles for laundry. If any amount of radioactive contamination is found, the affected article should be set aside and the radioactivity allowed to completely decay before said article is sent for laundry.
- c. All articles for delivery to the laundry shall be kept in containers which shall be kept closed until the articles are removed at the laundry.

- d. Laundry vehicles shall be kept clean and sanitary at all times.
- e. A separate room shall be used solely for receiving, sorting marking or handling unwashed articles.
- f. Diapers must be protected from pathogenic organisms and from chemical substances which are irritating to the skin of the infant. Laundered diapers for delivery shall be packed in sealed sanitary containers.

## CHAPTER VI — SCHOOL SANITATION AND HEALTH SERVICES

**SEC. 40. Definition of Terms —** As used in this Chapter, the following terms shall mean:

- a. *School* — An institution of learning which may be public, private or parochial.
- b. *Special School* — A school which utilizes cadavers, plants, animals, bacterial and viral cultures for studies and research.
- c. *Physical Environments* — The school plants, grounds and facilities.
- d. *Emotional Environment* — Factors which affect the emotional health of students and members of the faculty.

**SEC. 41. The Physical Environment —** In the design and construction of the school plant, the following factors shall be considered:

- a. *Site* — Traffic hazards are to be avoided but not to the point of sacrificing accessibility to public transportation. It shall be distant from sources of nuisances.
- b. *Grounds* — The acreage shall be large enough to permit playgrounds, athletic fields and school gardens.

- c. *Building* — Preferably it shall be constructed of strong and curable materials and designed along functional lines. For the prevention of fire hazards, the requirements of the local fire department shall be observed. Sufficient ventilation shall be provided. Wall and ceiling finishes should be chosen so as to give optimum lighting with minimum glare. Artificial lighting with louvered fluorescent or incandescent fixtures shall be used to supply minimum lighting of 25-foot candles in the darkest corner. For flooring, suitable materials shall be used which will give maximum durability without creating a slippery surface.
- d. *Sanitary Facilities* — The school population shall be provided with potable water sewage and waste disposal systems shall likewise conform to the requirements prescribed in this Code.

**SEC. 42. *The Emotional Environment*** — For the promotion of emotional health of the school population the following requirements shall be observed:

- a. *Suitable Location* — The school site shall be located away from disturbances and places which give undesirable influence.
- b. *Recreational Facilities* — The school must have safe and attractive playgrounds and adequate facilities for suitable sports and games.
- c. *Rest Rooms* — Facilities shall be provided where faculty members can rest and get short respite from teaching chores.

**SEC. 43. *Health Services*** - Trained personnel and adequate facilities should be

- available so that students may be afforded the following health services:

  - a. Periodic physical and medical examination;
  - b. Periodic immunization;
  - c. Medical and dental treatment;
  - d. Treatment for common emergencies; and
  - e. Counseling and guidance.

**SEC. 44. *Requirements for Special Schools* —**

- a. Cadavers shall be stored in morgues and dissected in dissecting rooms, all of which shall be constructed and maintained in accordance with standards prescribed by the Department.
- b. Poisonous or harmful plants and animals shall be kept in adequate and secured areas.
- c. Viral and bacterial cultures shall be kept in laboratories under standard security laboratory measures.
- d. Schools utilizing radioactive materials or sources for study or research should closely conform to the requirements and guidelines given by the Radiation Health Office and the Philippine Atomic Energy Commission concerning radiation protection.

## CHAPTER VII – INDUSTRIAL HYGIENE

**SEC. 45. *Sanitary Requirements for Operating an Industrial Establishment*** —

The following sanitary requirements shall be applicable to industrial establishments :

- a. No person, firm, corporation, or entity shall operate any industrial establishment without first obtaining a sanitary permit from the Secretary or his duly authorized representatives.

- b. Industrial establishments shall be allowed to operate only in places or zones assigned for the kind of industry by existing zoning laws, ordinances, or policies. The local health authority shall determine the suitability of location where no zoning law, ordinance or policy exists.
- c. Adequate potable water supply shall be provided to employees.
- d. Sewage disposal shall be by means of a municipal or city sewerage system whenever possible. If no municipal or city sewerage system exists it shall be done in accordance with the provisions of this Code. Adequate and conveniently located toilet and bath facilities shall be provided for each sex.
- e. All wastes incident to the operation of the industrial plant shall be collected, stored, or disposed of in a manner to prevent health hazards, nuisances, and pollution. Where a city or municipal collection and disposal system exists, it should be utilized.
- f. An abatement program for the control of vermin shall be maintained.
- g. Adequate restrooms and mess halls shall be provided for employees.
- h. All places of employment and all workrooms, including machinery and equipment, shall be kept clean and sanitary.

**SEC. 46. *Responsibility of the Secretary*** — The Secretary shall:

- a. Issue a list of maximum concentration of atmospheric contaminants as a guide in appraising health hazards and in evaluating control measures. The term maximum concentration as used in this Chapter means the amount of atmospheric contaminant which can
- be tolerated by man for continuous daily exposure with no impairment of health or well-being either immediate or after a long period of exposure.
- b. Review concentration values at regular intervals to amend or alter the list where indicated.
- c. Specify other concentrations of short intermittent duration capable of causing acute impairment of health.
- d. Require control of other contaminants known or believed to be capable of causing impairment of health but not included in the list already issued by the Department.
- e. Prescribe control measures to eliminate transmission of infectious diseases through processing or handling of industrial products or wastes.
- f. Prescribe illumination standard values and order their review at regular intervals to alter or amend values when indicated.
- g. Promulgate measures to effectively and adequately control any possible radioactivity to which workers may be exposed while on their job.
- h. Promulgate control measures to reduce noise and pollution.

**SEC. 47. *Responsibilities of the Employer and Employees*** — The following are the responsibilities of the employer and employees in industrial establishments:

- a. *Employer responsibility* —
  1. Provide, install and maintain in good repair all control measures and protective equipment;
  2. Inform affected employees regarding the nature of the hazards and the reasons for, and methods of control measures and protective equipment;

- 3. Make periodical testing of the hearing of all employees in noisy areas of operation;
- 4. Adopt measures so that the noise produced is within allowable limits so as not to affect neighboring offices, buildings or establishments;
- 5. Request the Department a permit for variation from the requirements when other means of equivalent protection are provided; and
- 6. Provide personal protective equipment and/or protective barriers when they are necessary.
- b. *Employee responsibility* –
  - 1. Observe strictly protective control measures which are prescribed; and
  - 2. Use equipment provided them properly.

**SEC. 48. Environmental Provisions** –  
The environmental provisions enumerated hereunder for the protection of the health of workers are applicable to all industrial establishments;

- a. *Control of atmospheric contaminants* –
  - 1. Workers shall not be exposed to atmospheric contaminants hazardous to health.
  - 2. Control of atmospheric contaminants shall be accomplished by methods approved by the Secretary or his duly authorized representatives or other government authority.
- b. *Control of infectious agents* –
  - 1. Control measures shall be provided to eliminate or control the transmission of infectious diseases through processing or handling of industrial products or wastes.
- c. Control of possible sources of radiation hazards should be carried out under the supervision of the Radiation Health Officer or his authorized representative.
- d. *Noise* –  
Control measures shall be provided to reduce intensity of noise sufficiently to render it harmless to workers and to eliminate it at its sources as a nuisance by following the recommendations of the local health or other government authority.
- e. *Illumination* –
  1. Adequate lighting shall be provided and distributed in all work areas in amount required for the type of work or seeing tasks measured by a light-meter with a minimum of glare and contrasting intensities between work and workroom.
  2. Where the specific task requires more light than provided by general illumination, supplementary lighting shall be supplied.
- f. *Ventilation* –
  1. Natural or artificial ventilation shall be provided in all work areas at a rate to insure a safe and healthful working atmosphere, free from injurious amounts of toxic materials and reasonably free from offensive odours and dust throughout the establishment.
  2. Proper control measures shall be used to reduce concentration of toxic contaminants to allowable limits.
  3. Air inlets shall be arranged, located and equipped to insure sufficient air velocity and an exhaust system which shall be

located so that discharged materials shall not reenter places of employment or habitations nor create any hazard of nuisance.

**SEC. 49. Personal Protective Equipment** — The following requirements shall be applicable for personal protective equipment:

- a. Personal protective equipment and/or protective barriers shall be provided whenever substances, radiations or mechanical irritants are encountered in a manner capable of causing any pathological change or injury or impairment in function of any part of the body through skin and/or mucous membrane absorption.
- b. Personal protection equipment which shall include respiratory protectors and other accessories shall be fitted to each exposed worker when necessary.
- c. X-ray film badges or pocket decimeters should be worn by workers who, during their course of work are unavoidably exposed to even a small amount of radiation.
- d. Supervisors and employees shall familiarize themselves with the use, proper sanitary care and storage of this equipment.

**SEC. 50. Health Services** - Medical services shall be provided to all employees in accordance with existing laws and the rules and regulations prescribed by the Department.

## CHAPTER VIII — PUBLIC SWIMMING OR BATHING PLACES

**SEC. 51. Sanitary Permit** – No public swimming and bathing places shall be operated for public use without a sanitary permit issued by the Secretary or his duly authorized representative.

**SEC. 52. Protection of Customers** —  
To protect the health and safety of persons who use them, the Department shall promulgate:

- a. *Rules and regulations concerning*:
  1. Correct sanitary practices for persons swimming or bathing to prevent the transmission of communicable diseases;
  2. Correct sanitary procedure for personnel working in those places to maintain their adequate sanitation and cleanliness of accessories used by customers;
  3. Adequate number of trained personnel and necessary equipment needed for life-saving and rescue work; and
  4. Post conspicuous signs to warn the public of the presence of artificial or natural hazards.
- b. *Standards and criteria concerning*:
  1. Sanitary structural requisites for swimming pools and bath houses to prevent pollution of their waters and to facilitate sanitation maintenance;
  2. Sanitary structural standards for appurtenances such as toilets, shower baths and dressing rooms to eliminate the risk of infection;
  3. Methods of determining the sanitary quality of water, particularly that which is used in swimming pools; and
  4. Criteria to be used in the limitation of swimming or bathing loads of swimming pools in accordance with the type of water treatment applied.

**SEC. 53. Responsibility of the Local Health Authority** — The local health authority concerned shall :

- a. Inspect the state of sanitation of public swimming or bathing places;
- b. Ascertain if their personnel are examined regularly for the presence of any infectious or contagious disease;
- c. Enforce rules and regulations of the Department under this Chapter; and
- d. Recommend to the Department the revocation of their permits when it is deemed necessary for the protection of public health.

**CHAPTER IX — REST AREAS, BUS TERMINALS, BUS STOPS AND SERVICE STATIONS**

**SEC. 54.** Rest areas, bus terminals, bus stops and service station areas with one or more permanent sheds, buildings and service facilities for motor vehicles shall be provided with sanitary facilities for the convenience and personal necessities of the traveling public.

- a. Rest areas, bus terminals, bus stops and service stations shall be established with ample area to prevent overcrowding of motor vehicles and travelers.
- b. They shall be provided with adequate ventilation and lighting and away from sources of nuisance.
- c. Safe and adequate water supply shall be provided in accordance with the provisions of Chapter II of this Code.
- d. Excreta and sewage collection and disposal shall be provided in accordance with the provisions of Chapter XVII of this Code.
- e. Refuse collection and disposal shall be in accordance with the provisions of Chapter XVIII of this Code.

f. Comfort rooms — Adequate number of comfort rooms shall be provided as well as auxiliary facilities therein in accordance with the provisions of Chapter XVII of this Code.

g. Waiting sheds for commuters shall be of adequate size to comfortably accommodate a minimum of thirty (30) persons. Floors shall be of smooth concrete finish and adequate sitting facilities provided for.

h. Sale of foodstuffs in those establishments shall be done in conformity with the provisions of Chapter III of this Code.

**CHAPTER X — CAMPS AND PICNIC GROUNDS**

**SEC. 55.** No camps and picnic grounds shall be open for public patronage without a sanitary permit issued by the Secretary or his duly authorized representative.

- a. Camps and picnic ground sites shall not be subject to flooding, must be well drained, distant from any source of nuisance and will not endanger sources of any public water supply.
- b. Camp and picnic houses shall be provided with adequate lighting and ventilation. Where tents are used flooring shall be at least four (4) inches above the ground.
- c. Adequate and safe drinking water shall be available at all times in accordance with the provisions of Chapter II of this Code.
- d. Adequate number of sanitary facilities shall be provided.
- e. Sewage disposal shall be in accordance with the provisions on Chapter XVII of this Code.
- f. The storage, preparation and serving of food shall be in accordance with Chapter III of this Code.

g. Refuse cans shall be provided at strategic points in the ground area provided with tight fitting cover. A regular collection service shall be maintained. Refuse disposal shall be in accordance with the provisions of Chapter XVIII of this Code.

h. Camps and picnic grounds shall be at all times maintained clean, free from litter and accumulated rubbish.

i. A program on Vermin Control shall be made in accordance with Chapter XVI of this Code.

**CHAPTER XI — DANCING SCHOOLS, DANCE HALLS AND NIGHT CLUBS**

**SEC. 56. General Provisions** - The following provisions are applicable to dancing schools, dance halls and night clubs:

- a. These establishments shall be operated and opened for public patronage only when a sanitary permit is issued by the local health authority.
- b. These establishments and their premises shall be kept clean and sanitary at all times.
- c. Patrons shall be provided with adequate potable water and toilet facilities in accordance with standards prescribed in this Code.
- d. There shall be no private rooms or separate compartments for public use except those used for lavatories, dressing rooms, bars and kitchens.

**SEC. 57. Special Provisions** - The following provisions are applicable in cases herein specified:

a. *For dancing schools* —

No person shall be employed as a

dancing instructor or instructress without first securing a health certificate from the local health authority.

b. *For halls and night clubs* —

1. No person shall be employed as hostess or cook or bartender or waiter without first securing a health certificate from the local health authority.
2. The storage, preparation and serving of food and drinks shall be in accordance with the provisions prescribed in Chapter III of this Code.

**CHAPTER XII — TONSORIAL AND BEAUTY ESTABLISHMENTS**

**SEC. 58. Definition of Terms** — As used in this Chapter, the term "Tonsorial and Beauty Establishments" include barber shops, beauty parlors, hairdressing and manicuring establishments and figure slenderizing salons.

- a. *Requirements* — These establishments are subject to the following requirements:
  1. A sanitary permit shall be procured from the local health authority before their operation.
  2. They shall be maintained clean and sanitary at all times.
  3. No person shall be employed to service customers without a health certificate issued by the local health authority.
- b. *Correct Sanitary Practices* — The following sanitary practices shall be observed:
  1. Working personnel shall wash their hands with soap and water before servicing customers.

2. They shall wear clean working garments
3. They shall not smoke nor eat while working.
4. Implements of their trade shall be cleaned and disinfected before and after their use.
5. Customers shall be supplied with clean and fresh towels, drapes and other linen necessary.
6. Precautionary measures to prevent disease transmission shall be observed when serving customers showing any form of dermatoses.

### \*CHAPTER XIII — MASSAGE CLINICS AND SAUNA BATH ESTABLISHMENTS

**SEC. 59. Definition of Terms** — As used in this Chapter, the following terms shall mean:

- a. **Massage** — A method wherein the superficial soft parts of the body are rubbed or stroked or kneaded for remedial or aesthetic or hygienic purposes.
- b. **Massage Clinic** — An establishment where massage is administered to customers.
- c. **Masseur** — A trained person duly licensed by the Secretary or his authorized representative to perform massage and to supervise massage clinic attendants.
- d. **Massage Clinic Attendant** — A trained person duly permitted by the Secretary or his authorized representative to massage customers under the guidance and supervision of a masseur.
- e. **Sauna Bath Establishment** - An establishment where customers are

- exposed to steam which is generated by sprinkling water on hot stones or by some other means.
- f. **Sauna Bath Attendant** — A person who applies the proper technique of giving steam bath to customers.

**SEC. 60. Sanitary Permit** — No person or entity shall operate a massage clinic and/or sauna bath establishment without first securing a sanitary permit from the local health authority.

**SEC. 61. Sanitary Requirements** — The following requirements shall be enforced:

a. *Massage Clinic* —

1. The reception and office rooms shall be properly lighted and ventilated.
2. Every massage room shall be adequately ventilated, provided with a sliding curtain at the entrance and equipped with a suitable and clean massage table.
3. Sanitary and adequate handwashing, bath and toilet facilities shall be available.
4. Customers shall be provided with soap, clean towels, sanitized rubber or plastic slippers. They shall be required to take a thorough bath before massage.
5. Masseur and masseur attendant shall wash their hands with soap and water before and after massaging a customer.
6. The establishment and its premises shall be maintained clean and sanitary at all times.

b. *Sauna Bath Establishment* —

1. The reception and office rooms shall be properly lighted and adequately ventilated.

2. The sauna bath room shall be properly lighted, provided with thermometers, and maintained clean and sanitary at all times.
3. Sanitary and adequate handwashing, bath and toilet facilities shall be available.
4. Customers shall be provided with soap, clean towels and sanitized rubber or plastic slippers.

**SEC. 62. Personnel** — The following requirements shall be enforced:

a. *Masseur* —

1. The person must have a certificate as a registered masseur, issued by the Committee on Examiners for Masseur of the Department.
2. He must possess an up-to-date health certificate issued by the local health authority.
3. The person shall wear a clean working garment when attending to customers or when supervising massage clinic attendants.

b. *Massage Clinic Attendant* —

1. The person shall be properly registered and authorized by the local health authority to work as massage clinic attendant after compliance with the following requirements:
  - a. Satisfactory completion of a training course or study given by a government office, school or hospital, which is duly authorized and recognized by the Department; and
  - b. Up-to-date health certificate issued by the local health authority to include VD

clearance secured from any government clinic or hospital.

2. The person must wear clean working garments when attending to customers.

c. *Sauna Bath Attendant* —

1. Attendant must possess an up-to-date health certificate issued by the local health authority.
2. The person must wear clean working garments when attending to customers.

### CHAPTER XIV — HOTELS, MOTELS AND APARTMENTS, LODGING, BOARDING, OR TENEMENT HOUSES AND CONDOMINIUMS

**SEC. 63. Definition of Terms** — As used in this Chapter, the following terms shall mean:

- a. **Hotel** — A building where transient guests are received and are supplied with and charged for meals, lodging and other services.
- b. **Motel** — A roadside hotel for motorists, usually consisting of private cabins.
- c. **Boarding House**. — A building where selected persons for fixed periods of time are supplied with, and charged for sleeping accommodations and meals.
- d. **Lodging House** — A building where persons are supplied with and charged for sleeping accommodations only.
- e. **Tenement House** — A building or portion thereof which is leased or sold to and occupied as residence by four or more families doing their

- f. Apartment House — A building containing a number of separate residential suites.
- g. Condominium — A building with one or more storeys composed of multi-unit residential suites under joint ownership of occupants, each unit provided with complete sanitary facilities, utilities and other amenities.
- h. Establishments — A collective term construed to include items (a) to (g).

**SEC. 64. General Provisions** — The following are required for the establishments defined in the preceding Section:

- a. No establishment shall be operated and opened for public patronage without a sanitary permit issued by the Secretary or his duly authorized representative.
- b. Any extension or additional construction in an establishment shall require a sanitary permit before it could be operated.
- c. All establishments shall provide their patrons with adequate water supply, toilet and facilities in accordance with standards prescribed in this Code.
- d. Establishments and their premises shall be kept clean and sanitary at all times.
- e. Periodic insect and vermin control measures shall be undertaken to eradicate vectors of diseases.
- f. Animals, fowls and pets shall be housed in appropriate kennels or cages separate from living quarters.

- g. No person shall be employed in establishments without first procuring a health certificate from the local health authority.

**SEC. 65. Special provisions** — The following provisions are applicable:

- a. Hotels and Motels
  - 1. The storage, preparation and serving of food to customers shall be in accordance with the standards prescribed in Chapter III of this Code.
  - 2. Customers shall be provided with clean linen such as bed sheets, pillow cases, towels and napkins.
  - 3. When rooms or cabins are vacated, their toilets or baths shall be sanitized and clean and fresh linen shall be provided before the room or cabin is rented for occupancy.
- b. Condominium — The following conditions are applicable:
  - 1. The choice for sites should consider availability of bus and taxi transportation services.
  - 2. Nearness to place of work, schools, police stations and clinics.
  - 3. Availability of low-cost goods.
  - 4. Parking facilities and playgrounds for children.
  - 5. Facilities for refuse disposal and cleanliness of buildings, and
  - 6. Efficiency of lifts.

## CHAPTER XV — PORT, AIRPORT, VESSEL AND AIRCRAFT SANITATION

**SEC. 66. Port and Airport Sanitation** — In ports and airports, the following sanitary requirements shall be applied:

- a. Every port and airport shall be provided with potable drinking water and wholesome food supplied from sources approved by the Secretary or his duly authorized representative.

- b. The drinking water and food shall be stored and handled in a manner to ensure their protection against contamination. The local health authority shall conduct periodic inspections of equipment, installations and premises, and collect regularly samples of water and food for laboratory examination to determine if they are fit for human consumption.
- c. There shall be available to as many ports and airports as practicable organized medical and health services with adequate staff, equipment and facilities for the prompt isolation and care of infected persons, disinfection, deratting, laboratory examination, collection and examination of rodents for plague infection, collection of water and food samples for examination.
- d. The local health authority for each port and airport shall take all practicable measures to keep port and airport installation free of rodents.
- e. In ports and airports of entry, facilities shall be provided for immunizations required in international travel.
- f. Every port of entry and the area within the perimeter of an airport of entry shall be kept free from mosquito vectors of yellow fever, malaria and other diseases of epidemiological significance.

**SEC. 67. Vessel Sanitation** — For the purpose of this Section, the provisions of Art. II of the Quarantine Regulations promulgated under Section 5 of Republic Act No. 123 shall be applied and enforced.

**SEC. 68. Aircraft Sanitation** — For the purpose of this Section, the requirements in the Guide to Hygiene and Sanitation in Aviation of the World Health Organization are adopted as part of this Code.

## CHAPTER XVI – VERMIN CONTROL

**SEC. 69. Definition of Terms** — As used in this Chapter, the following terms shall mean :

- a. Place — Land, building, residence, pier, watercraft, aircraft or any means of conveyance.
- b. Vermin — A group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice and rats which are vectors of diseases.

## SEC. 70. General Requirements

- a. A vermin abatement program shall be maintained in places by their owners, operators or administrators. If they fail, neglect or refuse to maintain a vermin abatement program, the local health agency will undertake the work at their expense.
- b. Vermin control in public places shall be the responsibility of the provincial, city or municipal governments which have jurisdiction over them.
- c. The procedure and frequency of vermin abatement program shall be determined and approved by the local health authority.

## CHAPTER XVII – SEWAGE COLLECTION AND DISPOSAL, EXCRETA DISPOSAL AND DRAINAGE

**SEC. 71. Definition of Terms** — As used in this Chapter, the following terms shall mean :

- a. Public sewerage system – A system serving twenty-five (25) persons or more.
  - b. Septic tank – A water tight receptacle which receives the discharge of a plumbing system or part thereof, and is designed to accomplish the partial removal and digestion of the suspended solid matter in the sewage through a period of detention. Its construction shall be in accordance with specifications prescribed in this Chapter.
  - c. House sewer – The pipe line conveying sewage from the house or building to the septic tank or to any point of discharge.
  - d. Septic tank absorption bed or drain field – An underground system of pipes leading from the outlet of the septic tank, consisting of open-joined or perforated pipes so distributed that the effluent from a septic tank is oxidized and absorbed by the soil.
  - e. Effective capacity of a septic tank – The actual liquid capacity of a septic tank as contained below the liquid level line of the tank.
  - f. Effective depth of a septic tank – The actual liquid depth of a septic tank as measured from the inside bottom of the septic tank to the liquid level line.
  - g. Freeboard or air space of a septic tank – The distance as measured from the liquid level line to the inside top of the septic tank.
  - h. Distribution box – A small concrete receptacle between the septic tank and the drain field from which lines of drain tile extends and which acts as surge tank to distribute the flow of sewage equally to each line of drain tile.
  - i. Approved excreta disposal facilities shall mean any of the following :
    - 1. Flush toilets properly connected to a community sewer;
    - 2. Flush toilets connected to a septic tank constructed in accordance with this Chapter;
    - 3. Any approved type pit privy built in accordance with this Chapter; and
    - 4. Any disposal device approved by the Secretary or his duly authorized representative.
  - j. Privy – A structure which is not connected to a sewerage system and is used for the reception, disposition and storage of feces or other excreta from the human body.
  - k. Septic privy – where the fecal matter is placed in a septic tank containing water and connected to a drain field but which is not served by a water supply under pressure.
  - l. Box and can privy – A privy where fecal matter is deposited in a can bucket which is removed for emptying and cleaning.
  - m. Concrete vault privy – A pit privy with the pit lined with concrete in such manner as to make it water tight.
  - n. Chemical privy – A privy where fecal matter is deposited into a tank containing a caustic chemical solution to prevent septic action while the organic matter is decomposed.
- SEC. 72. Scope of Supervision of the Department** – The approval of the Secretary or his duly authorized representative is required in the following matters:
- a. Construction of any approved type of toilet for every house including community toilet which may be allowed for a group of small houses of light materials or temporary in nature;
  - b. Plans of individual sewage disposal system and the sub-surface absorption system, or other treatment device;
  - c. Location of any toilet or sewage disposal system in relation to a source of water supply;
  - d. Plans, design, data and specifications of a new or existing sewerage system or sewage treatment plant;
  - e. The discharge of untreated effluent of septic tanks and/or sewage treatment plants to bodies of water;
  - f. Manufacture of septic tanks; and
  - g. Method of disposal of sludge from septic tanks or other treatment plants.
- SEC. 73. Operation of Sewage Treatment Works** – Private or public sewerage systems shall:
- a. Provide laboratory facilities for control tests and other examinations needed;
  - b. Forward to the local health authority operating data, control tests and such other records and information as may be required;
  - c. Inform the local health authority in case of breakdown or improper functioning of the sewage treatment works; and
  - d. Provide for the treatment of all sewage entering the treatment plant.
- SEC. 74. Requirements in the Operation of Sewerage Works and Sewage Treatment Plants** – The following are required for sewerage works and sewage treatment plants:
- a. All houses covered by the system shall be connected to the sewer in areas where a sewerage system is available.
  - b. Outfalls discharging effluent from a treatment plant shall be carried to the channel of the stream or to deep water where the outlet is discharged.
  - c. Storm water shall be discharged to a storm sewer, sanitary sewage shall be discharged to a sewerage system carrying sanitary sewage only; but this should not prevent the installation of a combined system.
  - d. Properly designed grease traps shall be provided for sewers from restaurants or other establishments where the sewage carries a large amount of grease.
- SEC. 75. Septic tanks** — Where a public sewerage system is not available, sewer outfalls from residences, schools, and other buildings shall be discharged into a septic tank to be constructed in accordance with the following minimum requirements:
- a. It shall be generally rectangular in shape. When a number of compartments are used, the first compartment shall have the capacity from one-half to two-thirds of the total volume of the tank.
  - b. It shall be built of concrete, whether precast or poured in place. Brick, concrete blocks or adobe may be used.
  - c. It shall not be constructed under any building and within 25 meters from any source of water supply.
- SEC. 76. Disposal of Septic Tank Effluent** – The effluent from septic tanks shall be discharged into a sub-surface soil, absorption field where applicable or shall be treated with some type of a purification device. The treated effluent may be discharged into a stream or body of water if it conforms to the quality standards

prescribed by the National Water and Air Pollution Control Commission.

**SEC. 77. Determination of Septic Tank Capacity** — The septic tank capacity may be determined from the estimated unit flow contained in Table I "Quantities of Sewage Flow," based on adequate detention time interval resulting in efficient sedimentation. Daily flow from mattered results, may be used as estimated flow when available. For edifices with occupants, the number of persons to be served shall be computed on the number of rooms with each room considered as occupied by two persons or on the basis of the actual number of persons served by the tank, whichever is greater.

TABLE I

QUANTITIES OF SEWAGE FLOW

Type of Establishment	Gals. / Day / Person	
Small dwellings and cottages	50	
Large dwellings with numerous fixtures	75 - 100	
Multiple family residence	50	
Rooming houses	40	
Boarding houses	50	
Hotels and motels	50	
Restaurants (toilet and kitchen wastes per person)	7 - 10	
Restaurants (kitchen wastes per meal served)	2 - 1 / 2 - 3	
Kitchen wastes at hotels, camps, boarding houses, etc., serving 3 meals/day	7 - 10	
		<i>* Subsurface drain fields not recommended for secondary treatments.</i>

Tourist camps or trailer parks	35 - 50	Luxury residences and estates	100 - 150
Resort camps (night and day) with limited plumbing	50	Country clubs per resident members*	
Luxury camps	75 - 100	Country clubs per member present*	25 - 50
Work or construction camps (semi-permanent)	50		
Day schools without cafeterias, gymnasiums or showers*	8		
Day schools with cafeterias but no gyms or showers* (Quantity estimated from no. of meals served or 80% of enrollment)	12		
Day schools with cafeterias, gyms and showers* (Qty. estimated from max. number expected to use gyms and showers in one day)	20		
Boarding schools	75 - 100		
Day workers at schools and offices	15		
Hospitals* (Gallons per bed)	150 - 250		
Public institutions other than hospitals	75 - 125		
Factories (Gal./person/shift, exclusive of industrial wastes)	15 - 35		
Public picnic parks (toilet wastes only)	5		
Picnic parks, with bathhouse, showers and flush toilets	10		
Swimming pools and bathing places*	10		

**SEC. 78. Sanitary Privies** — The privy recommended for use is the sanitary privy. It shall conform with the following minimum requirements:

- It shall consist of an earthen pit, a floor covering the pit, and a water-sealed bowl. It shall be so constructed in order that fecal matter and urine will be deposited into the earthen pit which shall be completely fly-proof.
- The pit shall be at least one meter square.
- The floor should cover the pit tightly to prevent the entrance of flies. It shall be constructed of concrete or other impervious material.
- The water-sealed bowl shall be joined to the floor so as to form a water-tight and insect proof joint.
- A suitable building, shall be constructed to provide comfort and privacy for the users of the privy.
- Wooden floors and seat risers shall not be used.

**SEC. 79. Drainage** —

- Responsibility of cities and municipalities — It shall be the responsibility of all cities and municipalities to provide and maintain in a sanitary state and in good repair a satisfactory system of drainage in all inhabited areas where waste water from buildings and premises could empty without causing nuisance to the community and danger to public health.

- Connection to the municipal drainage system — Buildings or premises producing waste water shall be connected to the municipal drainage system in all areas where it exists.

**SEC. 80. Special Precaution for Radioactive Excreta and Urine of Hospitalized Patient** —

- Patients given high doses of radioactive isotope for therapy should be given toilet facilities separate from those used by "non-radioactive" patients.
- Radioactive patients should be instructed to use the same toilet bowl at all times and to flush it at least three times after its use.

**CHAPTER XVIII — REFUSE DISPOSAL**

**SEC. 81. Definition of Terms** — As used in this Chapter, refuse is an inclusive term for all solid waste products consisting of garbage, rubbish, ashes, night soil, manure, dead animals, street sweepings and industrial wastes.

**SEC. 82. Responsibility of Cities and Municipalities** — Cities and municipalities shall provide an adequate and efficient system of collecting, transporting and disposing refuse in their areas of jurisdiction in a manner approved by the local health authority.

**SEC. 83. Additional Requirements** —

- Occupants of buildings and residences shall: Provide a sufficient number of receptacles for refuse. Refuse in receptacles shall be protected against vermin and other animals.
- Refuse shall be disposed through a municipal collection service. If

- this service is not available, disposal shall be by incineration, burying, sanitary landfill or any method approved by the local health authority.
- c. Refuse shall not be thrown in any street sidewalk, yard, park or any body of water. It shall be stored in a suitable container while awaiting its final disposal.
  - d. Streets shall be kept clean by occupants or owners of properties lining the street from the line of the property to the middle of the street and from one property to the other.
  - e. Parks, plazas and streets adjacent to public buildings shall be kept clean by the local government concerned.

## CHAPTER XIX — NUISANCES AND OFFENSIVE TRADES AND OCCUPATIONS

**SEC. 84. Definition of Terms** – As used in this Chapter, the following terms shall mean and include:

- a. Nuisance – Anything that injures health, endangers life, offends the senses or produces discomforts to the community.
- b. Offensive trades or occupations – These are the following:
  - 1. Soap boiling;
  - 2. Guts cleaning;
  - 3. Boiling of offal, bones, fat or lard\*;

\* Permissible if process is performed in a public slaughter-house under prescribed regulations.

\*\* The use of such chemicals is permissible in the practice of pharmacy and in printing where ready-made lead types are used.

- 4. Manufacturing of glue or fertilizer;
- 5. Skin curing;
- 6. Scrap processing;
- 7. Manure storing;
- 8. Lime burning;
- 9. Lye making; and
- 10. Any manufacturing process in which lead, arsenic, mercury, phosphorous, or other poisonous substance is used\*\*;

**SEC. 85. Types of Nuisances** – For the purpose of this Chapter, the following shall be considered nuisances :

- a. Public or private premises maintained and used in a manner injurious to health;
- b. Breeding places and harborages of vermin;
- c. Animals and their carcasses which are injurious to health;
- d. Accumulation of refuse;
- e. Noxious matter or waste water discharged improperly in streets;
- f. Animal stockage maintained in a manner injurious to health;
- g. Excessive noise; and
- h. Illegal shanties in public or private properties.

**SEC. 86. Responsibilities of Owners, Managers or Operators** – The owners, managers or operators of establishments shall:

- a. Secure a sanitary permit from the local health authority before establishing and operating their business or trade;
- b. Remove daily all injurious by products and wastes;
- c. Prevent the escape of industrial impurities and adopt methods to render them innocuous;

- d. Maintain working establishments and their premises clean and sanitary at all times;
- e. Store all materials properly to prevent emission of noxious or injurious effluvia.

## CHAPTER XX — POLLUTION OF ENVIRONMENT

**SEC. 87. General Provisions** – For the purpose of this Chapter, the provisions of Republic Act No. 3931, the rules and regulations of the National Water and Air Pollution Control Commission promulgated in accordance with the provisions of Section 6 (a) 2 of the said Act, the provisions of Presidential Decree No. 480, and the rules and regulations of the Radiation Health Office of the Department of Health shall be applied and enforced.

**SEC. 88. Authority of the Secretary** – The Secretary is authorized to promulgate rules and regulations for the control and prevention of the following types of pollution:

- a. Pollution of pesticides and heavy metals;
- b. Pollution of food caused by chemicals, biological agents, radioactive materials, and excessive or improper use of food additives;
- c. Non-ionizing radiation caused by electronic products such as laser beams or microwaves;
- d. Noise pollution caused by industry, land and air transport and building construction;
- e. Biological pollutants including the causative agents of intestinal infections;
- f. Pollution of agricultural products through the use of chemical fertilizers and plant pesticides containing toxic chemical substances and unsanitary agricultural practices; and
- g. Any other type of pollution which is not covered by the provisions of Republic Act No. 3931, the Rules and Regulations of the National Water and Air Pollution Control Commission, the provisions of Presidential Decree No. 480 and the rules and regulations of the Radiation Health Office of the Department of Health which is likely to affect community health adversely.

## CHAPTER XXI — DISPOSAL OF DEAD PERSONS

**SEC. 89. Definition** – As used in this Chapter, the following terms shall mean :

- a. Burial grounds – cemetery, memorial park of any place duly authorized by law for permanent disposal of the dead.
- b. Embalming – preparing, disinfecting, and preserving a dead body for its final disposal.
- c. Embalmer – a person who practices embalming.
- d. Undertaking – the care, transport and disposal of the body of a deceased person by any means other than embalming.
- e. Undertaker – person who practices undertaking.
- f. Funeral establishment – any place used in the preparation and care of the body of a deceased person for burial.
- g. Remains – the body of a dead person.
- h. Burial – Interment of remains in a grave, tomb or the sea.
- i. Disinterment – the removal or exhumation of remains from places of interment.

## **SEC. 90. Burial Grounds**

**Requirements** - The following requirements shall be applied and enforced:

- a. It shall be unlawful for any person to bury remains in places other than those legally authorized in conformity with the provisions of this Chapter.
- b. A burial ground shall at least be 25 meters distant from any dwelling house and no house shall be constructed within the same distance from any burial ground.
- c. No burial ground shall be located within 50 meters from any source of water supply.

**\*SEC. 91. Burial Requirements** - The burial of remains is subject to the following requirements:

- a. No remains shall be buried without a death certificate. This certificate shall be issued by the attending physician. If there has been no physician in attendance, it shall be issued by the mayor, the secretary of the municipal board, or a councilor of the municipality where the death occurred. The death certificate shall be forwarded to the local civil registrar within 48 hours after death.
- b. Shipment of remains abroad shall be governed by the rules and regulations of the Bureau of Quarantine.
- c. Graves where remains are buried shall be at least one and one-half (1 1/2) meters deep and filled well and firmly.
- d. The cost of burial of a dead person shall be borne by the nearest kin. If the kin is not financially capable of defraying the expenses or if the deceased had no kin, the cost shall be borne by the city or municipal government.

- e. The burial of remains in city or municipal burial grounds shall not be prohibited on account of race, nationality religion or political persuasion.
- f. If the person who issues a death certificate has reasons to believe or suspect that the cause of death was due to violence or crime, he shall notify immediately the local authorities concerned. In this case the deceased shall not be buried until a permission is obtained from the provincial or city fiscal. If these officials are not available the permission shall be obtained from any government official authorized by law.
- g. Except when required by legal investigation or when permitted by the local health authority, no unembalmed remains shall remain unburied longer than 48 hours after death.
- h. When the cause of death is a dangerous communicable disease, the remains shall be buried within 12 hours after death. They shall not be taken to any place of public assembly. Only the adult members of the family of the deceased may be permitted to attend the funeral.

## **SEC. 92. Disinterment Requirements** - Disinterment of remains is subject to the following requirements:

- a. Permission to disinter remains of persons who died of non-dangerous communicable diseases may be granted after a burial period of three (3) years.
- b. Permission to disinter remains of persons who died of dangerous communicable diseases may be granted after a burial period of five (5) years.

- c. Disinterment of remains covered in paragraphs "a" and "b" of this Section may be permitted within a shorter time than that prescribed in special cases, subject to the approval of the Regional Director concerned or his duly authorized representative.
- d. In all cases of disinterment, the remains shall be disinfected and placed in a durable and sealed container prior to their final disposal.

**d. Sanitary requirements -**  
For funeral chapels - The requirements prescribed for places of public assembly in this Code shall be applied.

For embalming and dressing rooms:

1. They should be constructed of concrete or semi-concrete materials with sufficient space to accommodate five (5) bodies at one time.
2. The floors and walls shall be made of concrete or other durable impervious materials.
3. Ventilation and lighting should be adequately provided.
4. Embalming shall be performed on a table made of a single marble slab or other equally impervious materials. It shall be so constructed that all washings and body fluids shall flow to a drain connected to the waste piping system of the building.
5. Embalmers and assistants shall use rubber gloves when working.
6. Washing facilities with soaps, detergents and germicidal solutions shall be provided for use of the working personnel.

## **SEC. 94. Licensing and Registration Procedures** - The licensing and registration of undertakers and embalmers are subject to the following requirements:

- a. Issuance of license to practice -
  1. Any person who desires to practice undertaking or embalming shall be licensed to practice only after passing an examination conducted by the Department.

- 2. Licensed undertakers or embalmers shall practice undertaking or embalming in accordance with requirements prescribed by the Department.
- 3. Licensed undertakers or embalmers shall display their licenses conspicuously in the establishments where they work.
- b. Issuance of certificates of registration –
  - 1. An undertaker or embalmer shall apply annually for a registration certificate and pay an annual registration fee of P25.00 to the Regional Health Office concerned.
  - 2. The first registration certificate issued shall cover the period from the date of issuance to the last day of the current year. Subsequent certificates shall bear the date of January 1 of the year of issue and shall expire December 31 of the same year.
  - 3. Certificates of registration shall be posted conspicuously in establishments concerned.
- c. Exemption – Government and private physicians may perform embalming without license and registration certificates as exigencies require.

**SEC. 95. Autopsy and Dissection of Remains** – The autopsy and dissection of remains are subject to the following requirements:

- a. Persons authorized to perform these are:
  - 1. Health officers;
  - 2. Medical officers of law enforcement agencies; and
- b. Members of the medical staff of accredited hospitals.
- c. Autopsies shall be performed in the following cases:
  - 1. Whenever required by special laws;
  - 2. Upon orders of a competent court, a mayor and a provincial or city fiscal;
  - 3. Upon written request of police authorities;
  - 4. Whenever the Solicitor General, Provincial or city fiscal as authorized by existing laws, shall deem it necessary to disinter and take possession of remains for examination to determine the cause of death; and
  - 5. Whenever the nearest kin shall request in writing the authorities concerned to ascertain the cause of death.
- d. Autopsies may be performed on patients who die in accredited hospitals subject to the following requirements:
  - 1. The Director of the hospital shall notify the next of kin of the death of the deceased and request permission to perform autopsy.
  - 2. Autopsy can be performed when the permission is granted or no objection is raised to such autopsy within 48 hours after death.
  - 3. In cases where the deceased has no next of kin, the permission shall be secured from the local health authority.
- e. Burial of remains after autopsy – After an autopsy, the remains shall be interred in accordance with the provisions in this Chapter.

**SEC. 96. Donation of Human Organs for Medical, Surgical and Scientific purposes** — Any person may donate an organ or any part of his body to a person, a physician, a scientist, a hospital or a scientific institution upon his death for transplant, medical, or research purposes subject to the following requirements:

- a. The donation shall be authorized in writing by the donor specifying the recipient, the organ or part of his body to be donated and the specific purpose for which it will be utilized.
- b. A married person may make such donation without the consent of his spouse.
- c. After the death of a person the next of kin may authorize the donation of an organ or any part of the body of the deceased for similar purposes in accordance with the prescribed procedure.
- d. If the deceased has no next of kin and his remains are in the custody of an accredited hospital, the Director of the hospital may donate an organ or any part of the body of the deceased in accordance with the requirement prescribed in this Section.
- e. A simple written authorization signed by the donor in the presence of two witnesses shall be deemed sufficient for the donation of organs or parts of the human body required in this Section, notwithstanding the provisions of the Civil Code of the Philippines on matters of donation. A copy of the written authorization shall be forwarded to the Secretary.
- f. Any authorization granted in accordance with the requirements of

this Section is binding to the executors, administrators, and members of the family of the deceased.

**SEC. 97. Use of Remains for Medical Studies and Scientific Research** – Unclaimed remains may be used by medical schools and scientific institutions for studies and research subject to the rules and regulations prescribed by the Department.

**SEC. 98. Special Precautions for Safe Handling of Cadavers Containing Radioactive Isotopes** –

- a. Cadavers containing only traces (very small dose) of radioactive isotope do not require any special handling precautions.
- b. Cadavers containing large amounts of radioactive isotopes should be labelled properly identifying the type and amount of radioactive isotopes present and the date of its administration.
- c. Before autopsy is performed, the Radiation Health Officer or his duly authorized representative should be notified for proper advice. The pathologist and/or embalmer should be warned accordingly of the radioactivity of the cadaver so that radiation precautions can be properly enforced.
- d. Normal burial procedures, rules and regulations may be carried out on the above-mentioned cadavers provided that their amount of radioactivity has decayed to a safe level which will be determined by the Radiation Health Officer or his authorized representative.
- e. Cremation — If cremation is performed without autopsy, there

is no handling problem; otherwise, autopsy precautions should be strictly enforced. Precautions should be taken to prevent any possible concentration of radioactivity at the base of the stack of the crematorium.

**SEC. 99. Responsibility of the Regional Director** — The Regional Director shall:

- a. Act on applications for the establishment of burial grounds; and
- b. Close any burial ground which is a menace to public health.

**SEC. 100. Responsibility of the Local Health Authority** — The local health authority shall:

- a. Administer city or municipal cemeteries;
- b. Issue permits to inter, disinter or transfer remains;
- c. Apply prescribed measures when cause or death is due to a dangerous communicable disease;
- d. Keep records of death occurring within his area of jurisdiction; and
- e. Authorize the delivery of unclaimed remains to medical schools and scientific institutions for purposes specified in this chapter and in accordance with the rules and regulations of the Department.

**SEC. 101. Responsibility of Local Government** — Local government shall:

- a. Reserve appropriate tracts of land under their jurisdiction, for cemeteries subject to approval of Regional Directors concerned;
- b. Utilize judiciously grants, gifts,

bequests of property or financial donations for the establishment or improvement of cemeteries; and

- c. Close cemeteries under their jurisdiction subject to approval of the Regional Director.

**SEC. 102. Penal Provisions** —

- a. The Secretary or his duly authorized representative may revoke or suspend the license of an undertaker or embalmer who violates any provisions of this Chapter or the rules and regulations promulgated by the Secretary under this Chapter.
- b. Any person who shall engage in the business of undertaking or embalming in violation of any provision of this Chapter shall be liable to a penalty of not more than P1000.00 for each violation.
- c. Each day or any part thereof during which any prohibited business or practice is continued shall be deemed a separate violation and subject to the same penalty prescribed in the preceding paragraph.

**CHAPTER XXII — FINAL PROVISIONS**

**SEC. 103. Penal Provision** —

- a. Unless otherwise provided in any Chapter or section in this Code, any person who shall violate, disobey, refuse, omit or neglect to comply with any of the rules and regulations promulgated under this Code shall be guilty of misdemeanor and upon conviction shall be punished by imprisonment for a period not exceeding six (6) months or by a fine of not exceeding P1000.00 or both depending upon the discretion of the court.

- b. Any person who shall interfere with or hinder, or oppose any officer, agent or member of the Department or of the bureaus and offices under it, in the performance of his duty as such under this Code, or shall tear down, mutilate, deface or alter any placard, or notice, affixed to the premises in the enforcement of the Code, shall be guilty of a misdemeanor and punishable upon conviction by imprisonment for a period not exceeding six (6) months or by a fine of not exceeding P1000.00 or both depending upon the discretion of the court.

**SEC. 105. Repealing Clause** —

All laws, as well as pertinent rules and regulations thereof which are inconsistent with the provisions of this Code are hereby repealed or amended accordingly.

**SEC. 106. Effectivity** — This Code is hereby made part of the law of the land and shall take effect immediately.

Done in the City of Manila, this 23rd day of December in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS  
President of the Philippines